

Reply to Office Action

Appl. No.: 09/751,121 Art Unit: 3624

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Filing of my response to the United States Patent and Trademark Office
FINAL Action of February 11, 2008 asserting claims 32 – 68 are rejected
under 35 U.S.C. 103(a) as being unpatentable over (US 2005/0209913 A1)
Wied et al, hereafter Wied claims priority to provisional application No.
60/194,727 filed April 5, 2000 in view of (US 6,064,981) Barni et al,
hereafter Barni and filing a Petition for Extension of Time of Three Months
along with a Request for Continued Examination (RCE) – check attached.

Sir:

This reply is in response to the FINAL Office Action by the United States
Patent and Trademark Office mailed on February 11, 2008 relative to Wied and
Barni being prior art assertions as indicated in the Re: above, including my
completing the requested changes made to correct the improper method claim
format or informalities in Claims 32, 34, 37, 41 - 43, 47, 48 and 63 and
addressing the United States Patent and Trademark Office's responses
indicating that my prior Replies arguing that my Method and System for E-
Commerce Freight Management incorporating a Grand Master Bulletin Board,
Master Bulletin Board, and Bulletin Board concept combining transportation,
products and services contains inventive steps over all of the purported prior art
have been only persuasive in part because that which is being argued is not
found in all of the independent claim limitations, for although the claims are
interpreted in light of the specification, limitations from the specification are not
read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057
(Fed. Cir. 1993).

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As my patent application process has covered an extended time frame over many years and has included numerous United States Patent and Trademark Office Actions and subsequently an equal number of Replies, I have included the Remarks sections from four (4) selected Replies within this Reply as it appears that inadvertently some of my arguments have not been fully considered in the overall review process.

This is evidenced by the new reassertion of Wied in this FINAL action on USPTO Pages 3 - 19 against each of my Claims 32 – 68. Also, in the second Response to Arguments, also on Page 19, my November 7, 2007 (11/07/07) Reply was cited for arguments against Wied by the United States Patent and Trademark Office's Final Action when in fact that Reply was merely a submittal indicating an amended claim identifier for Claim 42 which was inadvertently and incorrectly identified as "previously presented" when it should have been identified as "currently amended" as it had been amended, along with showing that Claims 1 – 31 were canceled and restating with their identifiers Claims 32 – 41 and Claims 43 – 68. However, that Reply did not contain any remarks addressing Wied. Instead, my complete response to Wied which did address in detail each of my Claims 32 – 68 relative to prior art and inventive steps was contained in my March 13, 2007 (3/13/07) Reply; yet, this Reply was not mentioned, ergo the unfortunate and unnecessary revisiting of Wied as asserted prior art. Additionally, combining Wied with either Barni or Chow individually or all three collectively not only does not provide the inventive steps of my application; but, such a combination would be totally impossible as each of the concepts are diametrically opposed to the others as to their individual operation and implementation. See the Remarks section of the March 13, 2007 Reply resubmitted herein on Pages 21 – 44 arguing my Wied comparative analysis.

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In like manner, as Barni and also Chow have now again been brought into the prior art category through the Wied reference arguments, both individually and collectively, I have also included the Remarks portions of my November 11, 2005 Reply resubmitted on Pages 53 – 69 and the Remarks portions of my May 16, 2005 Reply resubmitted on Pages 69 – 86. I believe, without any question, that the Remarks in these two (2) Replies have completely addressed and successfully argued that neither Barni or Chow individually nor in combination with each other which, as aforementioned, would be impossible, should still be under consideration as prior art to deny the subject-matter and inventive steps in my application.

Finally, the Remarks section in my September 24, 2006 has also been included herein on Pages 44 – 52 which successfully addressed the prior election / restriction requirements under 35 U.S.C. 121 that my application supposedly presented two distinct patents in combination and subcombination – a false assertion in the case of my Grand Master Bulletin Board, Master Bulletin Board and Bulletin Board transportation, product and service concept application.

Please enter my Petition for Extension of Time Under 37 CFR 1.136(a) FY 2008. Being the applicant / inventor, I claim small entity status. See 37 CFR 1.27. I request a Three Month Extension of Time under 37 CFR 1.17(a)(3) and have submitted a check herein covering the Small Entity Fee of \$525.00. Also, I have submitted a Transmittal Request for Continued Examination (RCE) with my Amendment / Reply along with a check covering the \$405.00 Fee. The two (2) forms for above have been submitted with this Reply along with one check in the total amount of \$930.00 for both of the fees combined.